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Delta Stewardship Council  
980 Ninth Street, Suite 1500  
Sacramento, CA 95814  
Sent via E-mail: [deltaplancomment@deltacouncil.ca.gov](mailto:deltaplancomment@deltacouncil.ca.gov)

Dear Chairman Isenberg and Members of the Council:

**Re: Comments on Fifth Staff Draft of the Delta Plan (dated August 2, 2011)**

Thank you for the opportunity to provide input on the Fifth Staff Draft of the Delta Plan, dated August 2, 2011. Our comments are primarily focused on the plan's intent for actions and oversight in the upstream areas that feed into the Delta (referred to as the *Delta Watershed Area*, Figure 1-1).

We appreciate the clarification in the Preface related to what the Delta Plan does not do, namely regulate those who exclusively use water upstream of the Delta. This distinction begins to address concerns expressed by our constituents and stakeholders about the effect of the plan on the upper watershed areas. However, we believe the plan would benefit from a more specific, targeted discussion in *Chapter 3 – Geographic Considerations*, or *How Will the Policies of the Delta Plan Work in Practice*, or elsewhere, addressing the intent and potential implications of recommended actions, restrictions, activities and governance in the Delta Watershed (or so-called “secondary planning area”).

Just as “problems of water and environmental management are interlinked” [Chapter 2, p. 35, line 23] within the Delta itself, there is a clear link between water and environmental management in the upper watersheds and the Delta. The Delta may be the “hub,” but the upper watershed is the engine. Both have water quality, supply, species, habitat and other mandates that need to be addressed. And both have unique landscapes, communities and economic drivers that support their respective social, economic and cultural characters. We must not set goals or recommend actions for the Delta that hinder the achievement of water supply, ecosystem and community sustainability goals in the upper watersheds that supply the Delta.

Additional specific recommendations:

ER P1, pp. 86, 113 and 138-139

- Acknowledge in the policy statement the need to balance upstream and other public trust issues in the development, implementation and enforcement of new and updated flow requirements for the Delta and high priority tributaries. If flow requirements focus solely on providing downstream benefits to the Delta, they could negatively affect the ability of agencies and communities in the upper watersheds to meet their beneficial use and ecosystem restoration goals, many of which also affect water supply and ecosystem health downstream.
- Edit footnote #29 on p. 86, footnote #41 on p. 113, and footnote #49 on p. 139 to include consultation with other state agencies, including the Sierra Nevada Conservancy and Department of Fish & Game, to identify priority streams for purposes of establishing flow criteria.

ER R1, p. 119

- Edit the recommendation to include consultation with the Sierra Nevada Conservancy and other agencies in the Delta Watershed Area to identify and establish habitat restoration priorities, such as mercury remediation or sediment reduction, and locations in the upper watershed to help improve overall water quality, supply and ecosystem health and reduce the risk of flooding downstream. The recommendation acknowledges the “importance of expediting habitat restoration in the Delta *and its watershed*” [emphasis added], and all three categories of performance measures for Chapter 5 include habitat restoration in the Delta *and its watersheds* [emphasis added]. However, the specific recommendations in this chapter fail to include coordination with upstream agencies to identify and implement priority habitat restoration activities in the upper watershed area.

ER R2, p. 121

- Edit the recommendation, especially the 4<sup>th</sup> bullet, to include the Sierra Nevada Conservancy and acquisitions in the Delta Watershed Area necessary to achieve ecosystem restoration consistent with the coequal goals, etc. The original CALFED program recognized the importance of working in the upper watersheds to achieve improvements in the Delta ecosystem; we hope the Delta Vision process and resulting plan will continue to build on those efforts.



WQ R7, p. 149

- Edit the recommendation to include working collaboratively with the Sierra Nevada Conservancy and other agencies and entities to monitor water quality in the Delta tributaries so upstream conditions and contributions can be assessed and strategies developed to minimize impacts on downstream water quality.

RR R12, p. 185

- Add a recommendation to work with the Sierra Nevada Conservancy, Wildlife Conservation Board and other agencies to identify site improvement projects in the Delta Watershed Area that can help to absorb flood flows, attenuate peak flows and otherwise reduce downstream flood risk in the Delta.

FP R5, p. 211

- Edit Financial Needs Assessment recommendation to include ecosystem projects as well as infrastructure projects and to include projects in the Delta Watershed Area, as these projects also impact water quality and enhance water supply.

FP R6, p. 211

- Edit recommendation to indicate that a portion of fees generated should be applied to the operational costs of the Sierra Nevada Conservancy in proportion to its role in coordinating implementation of the Delta Plan in the upper watershed area.

If you or your staff has any questions regarding the SNC's comments, please contact me at (530) 823-4667 or Kerri Timmer, Program Manager, at (530) 823-4683.

Sincerely,



Jim Branham  
Executive Officer

cc: Kerri Timmer, SNC Program Manager  
Joan Keegan, SNC Assistant Executive Officer

